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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,994	08/31/2001	Takuya Morishita	Q66052	9297

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SUGHRUE, MION, ZINN, MACPEAK & SEAS
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037

EXAMINER

HA, LEYNNA A

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 03/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/942,994

Applicant(s)

MORISHITA, TAKUYA

Examiner

LEYNNA T. HA

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/31/2001</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. Claims 1-16 have been examined and are rejected under 35 U.S.C. 102(e).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Lotspiech, Et Al. (US 6,118,873).**

As per claim 1:

Lotspiech, Et al. discloses a system for decrypting an encrypted computer program, comprising:

means for generating a first cipher key from a first block of the encrypted computer program; (col.6, lines 2-11)

means for decrypting a plurality of second blocks of the encrypted computer program with said first cipher key; (col.6, lines 30-35)

means for generating a second cipher key from one of said plurality of second blocks; and (col.7, lines 46-50 and col.8, lines 25-28)

means for decrypting another of said plurality of second blocks with said second cipher key. (col.6, lines 26-30)

As per claim 2: See col.6, line 33; discussing a first block is not encrypted.

As per claim 3: See col.6, lines 30-38; discussing plurality of second blocks are encrypted at least with said first cipher key before treaded by this system.

As per claim 4: See col.7, lines 13-22; discussing at least one of said plurality of second blocks is encrypted with said second cipher key before treated by this system.

As per claim 5: Lotspiech discusses the system as set forth in claim 1, further comprising:
means for detecting whether or not the encrypted computer program is analyzed; and
(col.8, lines 16-35)

means for decrypting a plurality of dummy blocks instead of said plurality of second blocks if it is detected that the encrypted computer program is analyzed. (col.7, lines 26-31)

As per claim 6: Lotspiech discusses a method for decrypting an encrypted computer program, comprising the steps of:

generating a first cipher key from a first block of the encrypted computer program; (col.6, lines 2-11)

decrypting a plurality of second blocks of the encrypted computer program with said first cipher key; (col.6, lines 30-35)

generating a second cipher key from one of said plurality of second blocks; and (col.7, lines 46-50 and col.8, lines 25-28)

decrypting another of said plurality of second blocks with said second cipher key. (col.6, lines 26-30)

As per claim 7: See col.6, line 33; discussing first block is not encrypted.

As per claim 8: See col.6, lines 30-38; discussing plurality of second blocks are encrypted at least with said first cipher key before treaded by this system.

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As per claim 9: See col.7, lines 13-22; discussing at least one of said plurality of second blocks is encrypted with said second cipher key before treated by this system.

As per claim 10: Lotspiech discusses the system as set forth in claim 1, further comprising:
means for detecting whether or not the encrypted computer program is analyzed; and

(col.8, lines 16-35)

means for decrypting a plurality of dummy blocks instead of said plurality of second blocks if it is detected that the encrypted computer program is analyzed. **(col.7, lines 26-31)**

As per claim 11:

Lotspiech discloses a computer program product embodied on a computer-readable medium and comprising code that, when executed, causes a computer to perform a method for decrypting an encrypted computer program, said method comprising the steps of:

generating a first cipher key from a first block of the encrypted computer program; **(col.6, lines 2-11)**

decrypting a plurality of second blocks of the encrypted computer program with said first cipher key; **(col.6, lines 30-35)**

generating a second cipher key from one of said plurality of second blocks; and **(col.7, lines 46-50 and col.8, lines 25-28)**

decrypting another of said plurality of second blocks with said second cipher key. **(col.6, lines 26-30)**

As per claim 12: See col.6, line 33; discussing block is not encrypted.

As per claim 13: See col.6, lines 30-38; discussing plurality of second blocks are encrypted at least with said first cipher key before treaded by this system. plurality of second blocks are

encrypted at least with said first cipher key before treaded by this method.

As per claim 14: See col.7, lines 13-22; discussing at least one of said plurality of second blocks is encrypted with said second cipher key before treated by this system.

As per claim 15: Lotspiech discusses the system as set forth in claim 1, further comprising:

means for detecting whether or not the encrypted computer program is analyzed; and

(col.8, lines 16-35)

means for decrypting a plurality of dummy blocks instead of said plurality of second blocks if it is detected that the encrypted computer program is analyzed. **(col.7, lines 26-31)**

As per claim 16:

Lotspiech discusses data structure embodied on a computer-readable medium comprising:

a non-encrypted block; and **(col.6, lines 30-33)**

a plurality of encrypted blocks; **(col.4, lines 47-49)**

wherein said plurality of encrypted blocks are encrypted with a cipher key generated from said non-encrypted block, and **(col.7, lines 4-11)**

wherein one of said plurality of encrypted blocks is encrypted with a cipher key generated from another of said plurality of encrypted blocks.

(col.7, lines 13-22 and col.8, lines 25-28)

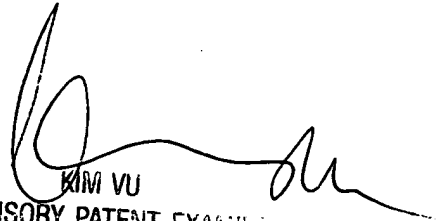
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEYNNA T. HA whose telephone number is (571) 272-3851. The examiner can normally be reached on Monday - Thursday (7:00 - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LHa


KIM VU
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